

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) Case No. 8:16CR147
)
Plaintiff,)
)
vs.)
)
DARLENE R. McCUALEY,)
)
Defendant.)

ORDER

This case came before the Court on a Petition for Action on Conditions of Pretrial Release (#23). On July 22, 2016 Pretrial Services Officer Todd Beacom submitted a Petition for Action on Conditions of Pretrial Release alleging that Defendant had violated conditions of release as follows: The defendant failed to report to the Pretrial Services Office, failed to seek substance treatment, tested positive for illegal drug usage and would not identify her current address. A warrant for Defendant's arrest was issued.

Defendant appeared before Magistrate Judge Gossett on February 15, 2017. Assistant Federal Public Defender Karen M. Shanahan represented the Defendant. Lecia E. Wright, Assistant United States Attorney, represented the Government. After being advised of the nature of the allegations, rights, and the consequences if the allegations were found to be true, Defendant denied the allegations. The Court took judicial notice of the Pretrial Services Violation Report of Officer Todd Beacom dated February 15, 2017. A detention hearing was continued to February 16, 2017 and then continued to February 21, 2017.

The Defendant appeared before the undersigned magistrate judge on February 21, 2017. Assistant Federal Public Defender Karen M. Shanahan represented the Defendant. Lecia E. Wright, Assistant United States Attorney, represented the Government. The Defendant admitted the allegations. The Court finds the allegations set out in the petition are generally true and finds the Defendant violated the conditions of release.

After providing both parties an opportunity for allocution as to disposition and considering the report of Pretrial Services, I approve the Defendant's proposed release plan and find the Order Setting Conditions of Release (#18) should be continued in full force and

effect adding the conditions that the defendant reside at Iowa Family Works and complete their residential treatment program.

IT IS ORDERED:

1. The Petition for Action on Conditions of Pretrial Release (#23) is granted;
2. The Order Setting Conditions of Release (#18) is continued in full force and effect with the added conditions that the defendant reside at Iowa Family Works and complete their residential treatment program; and
3. The Pretrial Services Officer is directed to file a Consent to Modify Conditions of Release.

Dated this 23rd day of February, 2017.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge